



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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January 5, 2006

IN REPLY PLEASE

REFER TO FILE: **B-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FINDINGS AND ORDERS OF THE
BUILDING REHABILITATION APPEALS BOARD
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the findings and orders of the Building Rehabilitation Appeals Board which provide for abatement of public nuisances at the following locations:

3910 East 5th Street, Los Angeles
1527 North Herbert Avenue, Los Angeles
1012 North Geraghty Avenue, Los Angeles
1363 North Herbert Avenue, Los Angeles

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Title 26 of the Los Angeles County Code, the Building Code, provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99. The Building Code also provides for a Building Rehabilitation Appeals Board, appointed by your Board, for the purpose of hearing appeals on matters concerning public nuisances.

Government Code Section 25845 requires that the property owners be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance(s) by the County. However, your Board adopted modified procedures which

delegated the required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goals of Service Excellence and Children and Families' Well-Being as it provides services to the public that have a wide-reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions which constitute a public nuisance. It will require the repair or demolition of a substandard structure and the removal of trash, junk, debris, inoperable vehicles, and overgrown vegetation from private property.

FISCAL IMPACT/FINANCING

There will be no negative fiscal impact or increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Rehabilitation Appeals Board has conducted the required hearing for the properties listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard properties. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following properties to be a public nuisance.

Your Board may either adopt these findings and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 3910 East 5th Street, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, miscellaneous personal property, and all excessive vegetation by January 23, 2006, and maintained cleared thereafter. (b) That the structure(s) be maintained closed to prevent unauthorized entry. (c) That the structure(s) be repaired per noted defects or demolished by February 22, 2006. Demolition includes the removal of all foundations, slabs, walks, driveways, debris, and the proper abandonment of any sewer or sewage disposal system.

List of Defects

FRONT HOUSE

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. The building was open and accessible to children, vandalized, and existed as a fire hazard and a threat to public safety and welfare, until it was barricaded, as requested by the Sheriff's Department.
3. The building has been fire damaged.
4. The building lacks the required foundation.
5. The building contains defective, deteriorated, or inadequate floor supports.
6. The floor supports are fire damaged.
7. The mudsill and wood members are fire damaged.
8. The roof is fire damaged.
9. The interior walls, ceiling, and roof loads are fire damaged.
10. The ceiling joists are fire damaged.
11. The structure is severely fire damaged and should be demolished.
12. The electrical service is damaged and missing.

REAR HOUSE

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. The building was open and accessible to children, vandalized, and existed as a fire hazard and a threat to public safety and welfare, until it was barricaded, as requested by the Sheriff's Department.

3. The underfloor screening is lacking and damaged.
4. Portions of the exterior wall covering lack a protective coat of paint.
5. Doors and windows are broken.
6. The exterior stairway and landings are lacking.
7. The flooring is warped and deteriorated.
8. The electrical service is damaged and missing.
9. The dwelling lacks hot and cold running water to the required plumbing fixtures.
10. A camper has been stored for unreasonable periods of time in yard areas.
11. The premises contain furniture, trash, junk, debris, and overgrown vegetation.

Portions of the interior of the building were not accessible for inspection; therefore, additional defects may be found when an interior inspection is made.

ADDRESS: 1527 North Herbert Avenue, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by January 23, 2006, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by January 23, 2006.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Overgrown vegetation, weeds, and debris constituting an unsightly appearance or a danger to public safety and welfare.
3. Miscellaneous articles of personal property scattered about the premises.
4. Trash and junk scattered about the premises.

5. Inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

ADDRESS: 1012 North Geraghty Avenue, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by January 23, 2006, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by January 23, 2006. (c) That perimeter fencing be installed to prevent unauthorized entry by February 22, 2006.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Overgrown vegetation, weeds, and debris constituting an unsightly appearance or a danger to public safety and welfare.
3. Trash and junk scattered about the premises.
4. Abandoned, wrecked, dismantled, or inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

ADDRESS: 1363 North Herbert Avenue, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by January 23, 2006, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by January 23, 2006.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.

2. Overgrown vegetation, weeds, and debris constituting an unsightly appearance or a danger to public safety and welfare.
3. Attractive nuisances dangerous to children in the form of abandoned or broken equipment, neglected machinery, refrigerators, and freezers.
4. Miscellaneous articles of personal property scattered about the premises.
5. Trash and junk scattered about the premises.
6. Wrecked, dismantled, or inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's findings that the listed properties are substandard because they are injurious to health, offensive to the senses, and obstruct the free use of neighboring property so as to interfere with the comfortable enjoyment of life and property.

At such time as this recommendation is adopted, please return an adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

MP:pc
P:REHAB/BOARDLET/FO1

cc: Chief Administrative Office
County Counsel